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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JEFFREY UNDERWOOD

Plaintiff(s),

-against-

THE CITY OF NEW YORK, et al.
Defendant(s).

-----X
APPEARANCES:

Plaintiff(s) by: Lead trial attorney: Rudy Veloz
930 Grand Concourse, Suite 1A
Bronx, NY 10451
(718) 993-3062
(718) 993-3064

Defendant(s) by: Jennifer L. Rubin Assistant Corporation Counsel
100 Church Street, room 3-180
New York, NY 10007
(212) 788-1029

Richard J. Holwell, District Judge:

The following is a Proposed Case Management Plan following the scheduling order requirements of Judge Richard J. Holwell. This Plan is also a Rule 16 and Rule 26 (f) scheduling order as required by the Federal Rules of Civil Procedure.

1. Description of the Case

a. Basis for Federal Jurisdiction:

42 U.S.C. §1983

b. Claim(s) asserted in the Complaint:

False arrest of plaintiff in violation of his Fourth Amendment Right as set forth in 42 U.S.C. § 1983 and the Constitution of the USA.

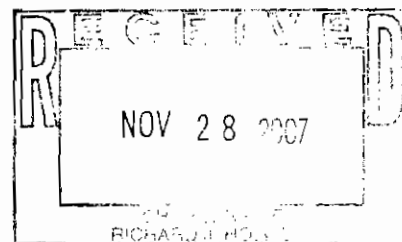
c. Legal and Factual issues in the case:

Was the arrest of the plaintiff by the members of the NYPD made without probable cause or did plaintiff act as a lookout and act in concert with another apprehended individual in the alleged commission of a sale of marijuana to a police undercover officer.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/3/07

07Civ 7094 (RJH)

**PROPOSED CASE
MANAGEMENT PLAN**



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d. Relief Sought:

Monetary damages.

2. Motions:

No party may make a dispositive motion returnable after ^{May} ~~June 30~~, 2008. Either party may request (and will be given a date by chambers) for oral argument. The above date is the date by which any motion shall be fully briefed and a courtesy copy delivered to chambers.

3. Joinder of additional parties by December 15, 2008.
4. Amend the pleading by December 15, 2008.
5. All fact discovery to be expeditiously completed by April 30, 2008.
6. All expert discovery by N/A.
7. Joint Pre-trial order to be submitted by Sept 8, 2008.
8. Final Pre-trial conference July 31, 2008.

TRIAL:

9. A jury trial is requested by the plaintiff.
10. Length of trial: 3-4 days.
11. Trial date: September 29, 2008.
12. Do the parties consent to proceed before a United States Magistrate for all purposes, pursuant to 28 U.S.C. §636 (c) and Fed. R. Civ. P. 73? Yes
No ✓
13. Status of Settlement discussions: on-going
14. Request for a Settlement Conference: Yes ✓

The parties' signatures below represent their understanding and agreement that this schedule is final and binding upon them unless the Court concludes that extraordinary circumstances warrant an extension with respect to one or more than one of the scheduled dates.

For Plaintiff

For Defendant

2127880902

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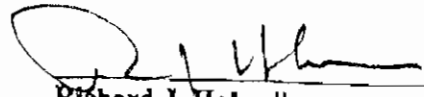
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A status conference shall be held
on May 9, 2008 at 10:00 a.m.

SO ORDERED,

DATED: New York, New York

Nov. 30, 2007


Richard J. Holwell
United States District Judge